

REMARKS

Claims 26-42, 51, 52, 54-58, 60-62, and 64-83 are all the claims pending in the application. Claims 72 and 73 have been withdrawn from consideration by the Examiner. Claims 26, 77, 78 and 81 have been amended. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicants wish to express their thanks to the Examiner for conducting an interview with the Applicants' representative during the Holiday Season and for reaching a conclusion that a proposed amendment to claim 26, which is incorporated herein, would patentably distinguish over the prior art. Applicants have made similar changes to claims 77, 78 and 81, thereby permitting these claims to be distinguished over the prior art as well.

Claim Rejections - 35 U.S.C. § 102

Claims 26-39, 41, 42, 51, 52, 54-58, 60-62, 64-66, 68-71, and 74-83 are rejected under §102(b) as being anticipated by US Patent Flepp et al. (6,555,243). Applicants respectfully traverse this rejection because Flepp fails to disclose all of the elements as set forth and arranged in the amended claims.

Independent claims 26, 77, 78 and 81 have been amended to recite that the hollow body has a hollow inner space, thereby presenting a reference point later used in the claim to define the various layers of the hollow body. The hollow body is also defined to have an "inner radially exposed surface" and the claims are further amended to state that the inner radially exposed surface is immediately adjacent to and defining the hollow inner space." This text now defines the inner radially exposed surface as being the innermost surface of the hollow body, that is, adjacent the hollow space.

The claims continue to provide that the inner and outer layers comprise a mixture of different polyamide-homopolymers and a compatibilizer.

In contrast to that independently set forth in claims 26, 78 and 81, although Flepp discloses a layer (c) made of a mixture of different polyamide-homopolymers and a

compatibilizer, that layer (c) does not provide an inner radially exposed surface that is immediately adjacent to the hollow space.

Similarly for claim 77, layer (c) in Fepp does not provide a supplemental inner layer defining an inner radially exposed surface that is immediately adjacent to the hollow space. Instead the adhesion promoting layer (c) is always disposed radially interior of the inner and outer radially exposed surfaces. It is never immediately adjacent to a hollow space, and indeed, it would not be due to its function as an adhesion promoting structure. Further, given the arrangement of supplemental inner, inner, intermediate and outer layers as recited in the claim, the arrangement of layers in Fepp cannot be read on the claim as now drafted.

In light of the above, Applicants respectfully submit that Flepp fails to anticipate independent claims 26, 77, 78 and 81.

Likewise, this reference fails to anticipate the claims dependent therefrom.

Claim Rejections - 35 U.S.C. § 103

Claims 40 and 67 are rejected under §103(a) as being unpatentable over Flepp. Applicants respectfully traverse this rejection because Flepp fails to teach or suggest all of the elements as set forth and arranged in the claims.

As noted above, Flepp is deficient. The Examiner asserts that one of ordinary skill in the art would have found it obvious to vary the amount of compatibilizer in the mixture to come up with an optimized value through routine experimentation. However, such a modification of Flepp would still fail to cure the above-noted deficiency therein.

Accordingly, even assuming that one of ordinary skill in the art would have modified Flepp as suggested by the Examiner, any such modification would still fail to include all of the elements claimed and thus, would fail to render obvious Applicants' claims.

In light of the above, Applicants respectfully request that the Examiner withdraw this rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Alan J. Kasper/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Alan J. Kasper
Registration No. 25,426

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: December 28, 2007